

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

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30175 Hannover
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Patentanwälte
Thömen & Körner

01. Nov. 2006

Frist .

Date of mailing (<i>day/month/year</i>) 26 October 2006 (26.10.2006)	
Applicant's or agent's file reference 407/41 PCT	IMPORTANT NOTIFICATION
International application No. PCT/DE2005/000056	International filing date (<i>day/month/year</i>) 15 January 2005 (15.01.2005)
Applicant ASTRA GESELLSCHAFT FÜR ASSET MANAGEMENT MBH & CO. KG et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Agnes Wittmann-Regis
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 407/41 PCT	FOR FURTHER ACTION	See item 4 below
International application No. PCT/DE2005/000056	International filing date (<i>day/month/year</i>) 15 January 2005 (15.01.2005)	Priority date (<i>day/month/year</i>) 30 January 2004 (30.01.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant ASTRA GESELLSCHAFT FÜR ASSET MANAGEMENT MBH & CO. KG		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 9 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 18 October 2006 (18.10.2006) Authorized officer <p style="text-align: center; font-weight: bold;">Agnes Wittmann-Regis</p> e-mail: pt06@wipo.int
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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year)	See Form PCT/ISA/210 (sheet 2)
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Applicant's or agent's file reference 407/41 PCT	FOR FURTHER ACTION See paragraph 2 below
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International application No. PCT/DE2005/000056	International filing date (day/month/year) 15.01.2005	Priority date (day/month/year) 30.01.2004
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International Patent Classification (IPC) or both national classification and IPC
H01 Q1/44 H01 Q1/27 H01 Q9/16

Applicant
ASTRA GESELLSCHAFT FÜR ASSET MANAGEMENT MBH & CO. KG

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in the international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims		YES
	Claims	1-6, 16	NO
Inventive step (IS)	Claims		YES
	Claims	7-8, 10-14, 17	NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims		NO

2. Citations and explanations:

1. The following documents D1-D5 are cited in the international search report; the same numbering will be used throughout the procedure:

D1: US 2001/050645 A1 (BOYLE KEVIN R) 13 December 2001 (2001-12-13)

D2: WO 01 /36728 A (FOSTER MILLER, INC) 25 May 2001 (2001-05-25)

D3: DE 198 43 237 C1 (KLAUS STEILMANN INSTITUT FUER INNOVATION UND UMWELT GMBH) 18 May 2000 (2000-05-18)

D4: US-A-5 906 004 (LEBBY ET AL) 25 May 1999 (1999-05-25)

D5: US 2003/085619 A1 (STRACHE WOLFGANG ET AL) 8 May 2003 (2003-05-08)

Special reference is made to the bibliographic details provided in the international search report for each of the cited documents.

2. The present application does not meet the criterion specified in PCT Article 33(2) because

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Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

the subject matter of claims 1-6 and 16 is not novel for the following reasons.

2.1 Independent claim 1

Document D1 discloses, see paragraphs [0033] and [0034]; figure 7; abstract:

A textile material with antenna components for a HF transponder, the antenna components comprising electrically conductive components of the textile material itself, which are formed as E field antennae using the geometry thereof to match a working frequency in the microwave range.

All the technical features of claim 1 are therefore known from D1. Hence, the subject matter of claim 1 is not novel.

Attention is also drawn to the fact that all the technical features of claim 1 are also disclosed by document D2 (figure 7; page 14, lines 3-5; page 14, line 17 - page 15, line 2; page 15, lines 14-22) or by document D3 (column 2, lines 12-33).

2.2 Dependent claims 2-6

The arrangement of antenna components claimed in claim 2 is known from D1 (figure 7) and from D2 (figure 7).

Claim 3 claims protection for all possible orientations of the antenna components in relation to the warp direction (lengthwise, transverse or

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

at an angle to the warp direction). The textile materials known from D1 and D2 inevitably feature one of these directions.

An antenna length of $\lambda/4$ or a dipole such as that claimed in claim 4 are disclosed in D1 (paragraph [0032]) and in D2 (page 15, lines 14-22).

The electrically conductive thread structure claimed in claim 5 and claim 6 is likewise disclosed in D1 (paragraphs [0033]-[0034]) or D2 (page 14, line 17 - page 15, line 22).

2.3 Dependent claim 16:

Dependent claim 16 claims that a region in which to position a circuit module can be specified in cutting a piece of the textile material and that the circuit module can be connected and affixed to a connection point located in that region.

D1 shows - see figures 5-7 - the mechanism for attaching a circuit module to the textile material.

The applicant is advised that indications of purpose (for example, beginning with "for" and followed by a purpose) cannot generally serve in a device claim to distinguish the subject matter of the claim from the prior art, since the latter is considered suitable for all purposes.

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

In the case of the present application, the indications of purpose in claim 16 alone cannot serve to distinguish the subject matter of that claim from the prior art.

All the other features of this claim are known from document D1, however. Therefore, the subject matter of the claim is not novel (PCT Article 33(2)).

3. The present application does not meet the criterion in PCT Article 33(3) because the subject matter of claims 7, 8, 10-14, 16 and 18 is not based on inventive step.

- 3.1 Dependent claims 7, 8 and 10
Documents D1 and D2 disclose continuous, electrically conductive threads. The technical feature according to which the threads can be separated for connecting an electrical component is not disclosed directly in these documents. However, separating the threads in such a manner is the most obvious option for the person skilled in the art to connect the electrically conductive threads to an electronic component. Adding this obvious technical feature does not constitute inventiveness. The subject matter of claims 7 and 8 does not, therefore, involve an inventive step.

It is likewise obvious to place connection points and antenna ends of the conductive threads on the surface of the textile material in order to sever

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citations and explanations supporting such statement

them more easily. It is also obvious in this context that the exit points have a spacing of $\lambda/4$. Therefore, the subject matter of claims 10 and 11 does not involve an inventive step.

3.2 Dependent claims 12-14

Claims 12-14 contain only forms of connection that are considered routine and generally known approaches for connecting antenna elements to an electronic component. Using such a connection technique in a textile material such as those known from D1 or D2 is therefore standard practice for a person skilled in the art.

3.3 Dependent claim 17

Dependent claim 17 specifies that, in the raw textile material, a positioning region for a circuit module can be specified and that the circuit module can be connected and affixed to a connection point located in said region.

D1 shows - see figures 5-7 - the mechanism for attaching a circuit module to the processed textile material. For the person skilled in the art, it is obvious that this is also possible with the raw material.

The applicant is advised that indications of purpose ("for" followed by a purpose) cannot generally serve in a device claim to distinguish the subject matter of the claim from the prior

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

art, since the latter is considered suitable for
all purposes.

In the case of the present application, the
indications of purpose in claim 17 alone cannot
serve to distinguish the subject matter of that
claim from the prior art. For that reason, the
subject matter of claim 17 is not deemed to
involve an inventive step.